

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Scot & Nancy Colby
DOCKET NO.: 06-26535.001-R-1
PARCEL NO.: 07-26-406-043-0000

The parties of record before the Property Tax Appeal Board are Scot & Nancy Colby, the appellants, and the Cook County Board of Review.

The subject property consists of a two-story, 21-year-old, single-family dwelling of frame construction containing 2,601 square feet of living area and located in Schaumburg Township, Cook County. Features of the residence include two and one-half bathrooms, a partial-finished basement, air-conditioning, a fireplace and a two-car attached garage. The appellants argued that the subject parcel contains 14,111 square feet of land area and provided a copy of the subject's plat of survey as well a copy of a Uniform Residential Appraisal Report. The board of review's documents indicate the subject parcel contains 27,030 square feet of land.

The appellants submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this claim, the appellants submitted assessment data and descriptive information on four properties suggested as comparable to the subject. The appellants also submitted a one-page letter, photographs and Cook County Assessor's Internet Database sheets for the subject and the suggested comparables and other information. Based on the appellants' documents, the four suggested comparables consist of two-story, 21-year-old, single-family dwellings of frame construction located within one-quarter mile of the subject. The improvements range in size from 2,640 to 2,813 square feet of living area. The comparables contain similar amenities as compared to the subject. The improvement assessments range from

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$ 9,730
IMPR.:	\$ 31,216
TOTAL:	\$ 40,946

Subject only to the State multiplier as applicable.

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\$11.31 to \$11.98 per square foot of living area. The four suggested land comparables range in size from 7,200 to 7,918 square feet and have land assessments of \$1.04 per square foot. The appellants' evidence disclosed that the subject was purchased in June 2005 for a price of \$480,000. The appraisal report submitted by the appellants also reflected a market value for the subject property of \$480,000 as of March 9, 2007. The appraisal report disclosed that the subject parcel contains 14,111 square feet. Based on the evidence submitted, the appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total assessment of \$40,946, with \$31,216 or \$12.00 per square foot of living area apportioned to the improvement and \$9,730 apportioned to the land. In support of the assessment the board submitted property characteristic printouts and descriptive data on three properties suggested as comparable to the subject. The suggested comparables are improved with two-story, 16 or 20-year-old, single-family dwellings of frame construction located within three blocks of the subject. The improvements range in size from 2,637 to 2,876 square feet of living area. The comparables contain similar amenities as compared to the subject. The improvement assessments range from \$11.92 to \$12.05 per square foot of living area. The three suggested land comparables range in size from 7,200 to 28,226 square feet and have land assessments ranging from \$0.36 to \$1.04 per square foot. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellants' argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review V. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellants have not overcome this burden.

The first issue before the Board is the correct square footage attributable to the subject parcel. The Board finds the appellants did substantiate the claim that the subject's land size is different than the public record presented by the board of review. The appellants provided a copy of the subject's plat of survey as well as a copy of a Uniform Residential Appraisal Report confirming the subject parcel contains 14,111 square feet. Consequently, the Board finds the subject parcel contains 14,111

square feet of land area. The subject's land assessment is \$9,730 or \$0.69 per square foot, based on 14,111 square feet.

Regarding the improvement, both parties presented assessment data on a total of seven equity comparables. These seven properties have improvement assessments ranging from \$11.31 to \$12.05 per square foot of living area. The subject's per square foot improvement assessment of \$12.00 falls within the range established by these properties. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is supported by similar properties contained in the record.

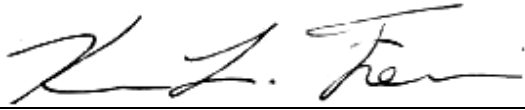
Regarding the land, the Board finds the seven land comparables submitted by the parties to be similar in location to the subject and range in size from 7,200 to 28,226 square feet with land assessments ranging from \$0.36 to \$1.04 per square foot. The subject's per square foot land assessment of \$0.69 falls within the range established by these properties. In addition, six of the seven land comparables provided by both parties have a land assessment of \$1.04 per square foot.

On the basis of the evidence submitted by the parties, the Property Tax Appeal Board finds that the evidence has demonstrated that the subject is not assessed in excess of that which equity dictates. Therefore, the Property Tax Appeal Board finds a reduction in the subject's assessment is not warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: August 14, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.